

REMARKS

The present application was filed on January 13, 1999 with claims 1-16. In the outstanding Office Action dated April 25, 2002, the Examiner objected to claim 3 due to an informality; rejected claims 1, 2, 9-16 under 35 U.S.C. §102(e) as being participated by U.S. Patent No. 5,933,412 (hereinafter "Choudhury"); and allowed claims 3-8.

In this response, Applicant amends the specification to correct a minor typographical error, traverses the objection to claim 3, traverses the §102(e) rejection, amends dependent claim 11, and adds new independent claim 17.

With regard to the objection to claim 3, the Examiner states that the language "generating at the at least one . . ." is improper. Applicant respectfully disagrees. The preamble of the claim specifically calls for "at least one calling party non-border node" and "at least one called party non-border node." Therefore, subsequent references within the claim to the "at least one calling party non-border node" and the "at least one called party non-border node," such as those in the objected-to generating steps, can properly use the language "the at least one." The objection is therefore believed to be improper, and should be withdrawn.

With regard to the §102(e) rejection of claims 1, 2 and 9-16, Applicant initially notes that the Choudhury reference was apparently assigned at the time of its issuance to Lucent Technologies Inc. Moreover, the present application, at the time the present invention was made, was subject to an obligation of assignment to Lucent Technologies Inc. An assignment of the present application to Lucent Technologies Inc. was recorded in the U.S. Patent Office on February 19, 1999 at Reel 9804, Frame 0849. Therefore, should Applicant file a continuation of the present application, that continuation, as an application filed after November 29, 1999, would be entitled to the benefit of 35 U.S.C. §103(c). As a result, the Choudhury reference, which is available as a reference only under §102(e), would then be unavailable for use by the Examiner in a rejection under 35 U.S.C. §103(a). Applicant expressly reserves the right to file such a continuation application in order to obtain the benefit of §103(c).

Applicant respectfully traverses the §102(e) rejection of claims 1, 2 and 9-16 over Choudhury. The Examiner in formulating this rejection argues that Choudhury in FIG. 2 shows a

system meeting the limitations of independent claims 1, 9, 15 and 16. For the reasons outlined below, Applicant respectfully disagrees.

Independent claim 1 is directed to a method for interconnecting a calling party asynchronous transfer mode system having a calling party host and a called party asynchronous transfer mode system having a called party host, using an intermediate switching asynchronous transfer mode network and a border node associated with each asynchronous transfer mode system. The method includes the step of routing a call from said calling party host to said called party host over the intermediate switching asynchronous transfer mode network based on an intermediate switching ATM network addressing scheme that is recognized by said border nodes and independent of an addressing scheme of said asynchronous transfer mode systems.

Applicant submits that such an arrangement is not shown in Choudhury. More particularly, there is no teaching or suggestion that the “other domains” shown in FIG. 2 of Choudhury correspond to the claimed intermediate switching asynchronous transfer mode network that utilizes an intermediate switching ATM network addressing scheme that is recognized by said border nodes and independent of an addressing scheme of said asynchronous transfer mode systems. In contrast, there is apparently only a single addressing scheme being used throughout the different domains of the FIG. 2 system in Choudhury. For example, Choudhury refers to the system in FIG. 2 as a network 100 that is “subdivided” into domains (Choudhury, column 6, lines 4-5), and indicates that a single ATM addressing scheme is used throughout the network 100 (Choudhury, column 5, line 46, to column 6, line 51). In addition, at column 15, lines 38-41, Choudhury states as follows with regard to identifiers of the end hosts:

It is noted that the MIDs or VCIs should be distributed among the end hosts such that a unique identifier is used for each endpoint. These identifiers may be assigned in the original setup request by the requesting node or they can be assigned by the connection server receiving the setup request.

This passage also suggests that a single ATM addressing scheme is used in the FIG. 2 system of Choudhury. The network 100 is apparently subdivided into domains only for purposes of implementing parallel connection control.

Dependent claim 2 is believed to be allowable for at least the reasons identified above with regard to claim 1, and is also believed to define additional patentable subject matter. For example, there is no teaching or suggestion in Choudhury regarding the claimed substituting, at the border node of the calling party asynchronous transfer mode system, in a called party address information element, an intermediate switching asynchronous transfer mode network address of the border node of the called party asynchronous transfer mode system for the asynchronous transfer mode system address of the called party host. The Examiner argues that such substitution is disclosed in Choudhury by translating of VPIs and VCIs from switch to switch. However, such translation will apparently also be done in establishing a connection from one switch to another within a single domain. The mere presence of such translation does not anticipate the claimed substitution, which requires an intermediate ATM network addressing scheme which is independent of that used in the calling party and called party systems.

With regard to independent claim 9, this claim specifies that calling party and called party asynchronous transfer mode systems have an addressing scheme independent from the addressing scheme of an intermediate switching asynchronous transfer mode network, and that border nodes interface between the addressing scheme of the asynchronous transfer mode systems and the intermediate switching asynchronous transfer mode network addressing scheme. As discussed above in conjunction with claims 1 and 2, such an arrangement is not taught or suggested by the Choudhury reference. Instead, Choudhury apparently makes no distinction between particular addressing schemes used in the various domains of network 100, with the result that network 100 operates using a single addressing scheme.

Dependent claims 11-14 are believed allowable for at least the reasons identified above with regard to independent claim 9.

Independent claims 15 and 16 each call for a type of address substitution which is not taught or suggested in Choudhury. As noted above, it is believed that VPI/VCI translation within a given ATM network does not anticipate substituting, at a calling party border node, an intermediate

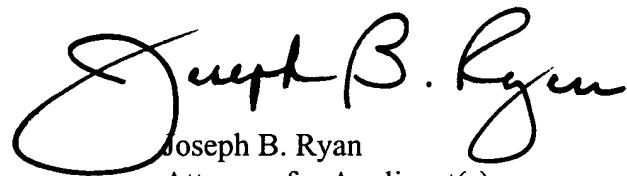
switching asynchronous transfer mode network address of a called party border node for an asynchronous transfer mode system address of a called party host. Similarly, VPI/VCI translation within a given ATM network does not anticipate substituting, at a called party border node, an asynchronous transfer mode system address of the called party host for an intermediate switching asynchronous transfer mode network address of the called party border node.

New independent claim 17 includes limitations similar to those of allowed independent claim 6, and is also believed to be allowable.

Attached hereto is a marked-up version of the changes made to the specification and claims by the present Amendment.

In view of the above, Applicant believes that claims 1-17 are in condition for allowance, and respectfully requests withdrawal of the objection and the §102(e) rejection.

Respectfully submitted,



Date: July 25, 2002

Joseph B. Ryan  
Attorney for Applicant(s)  
Reg. No. 37,922  
Ryan, Mason & Lewis, LLP  
90 Forest Avenue  
Locust Valley, NY 11560  
(516) 759-7517

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

The paragraph beginning at page 2, line 11, has been amended as follows:

In a preferred embodiment, the method in accordance with the present invention interconnects a calling party asynchronous transfer mode system and a called party asynchronous transfer mode system using an intermediate switching asynchronous transfer mode network. Each asynchronous transfer mode system has an associated border node, such as an ATM switch. The system routes calls over the intermediate switching asynchronous transfer mode network based on an intermediate switching ATM network addressing scheme that is recognized by the border nodes and independent of an addressing scheme of the asynchronous transfer mode systems. Specifically, the border node of the calling party asynchronous transfer mode system generates an intermediate switching asynchronous transfer mode network address of the border node of the called party asynchronous transfer mode system. [Call] Calls are routed over the intermediate switching asynchronous transfer mode network from the border node of the calling party asynchronous transfer mode system to the border node of the called party asynchronous transfer mode system based on the intermediate switching asynchronous transfer mode network addressing scheme.

IN THE CLAIMS

11. (Amended) A system in accordance with claim 9, wherein said calling party asynchronous transfer mode system comprises a calling party host directly [connect] connected to said calling party border node.

--17. (New) A method for interconnecting a calling party asynchronous transfer mode system to a called party asynchronous transfer mode system by way of a calling party border node, an intermediate switching asynchronous transfer mode network having an intermediate asynchronous transfer mode network addressing scheme, and a called party border node, the calling party asynchronous transfer mode system having a calling party host connected to the calling party border

node, the called party asynchronous transfer mode system having a called party host connected to the called party border node, the calling and called party hosts having an asynchronous transfer mode system addressing scheme independent of the intermediate switching asynchronous transfer mode network addressing scheme, comprising:

generating at the calling party host a message specifying the asynchronous transfer mode system address of the called party host in a called party address information element;

routing the call to the calling party border node;

substituting at the calling party border node in the called party address information element the intermediate switching asynchronous transfer mode network address of the called party border node for the asynchronous transfer mode system address of the called party host;

transmitting the call over the intermediate switching asynchronous transfer mode network to the called party border node based on the intermediate switching asynchronous transfer mode network address of the called party border node in the called party address information element;

generating at the called party border node a message specifying in the called party address information element the asynchronous transfer mode system address of the called party host; and

routing the call to the called party host based on the asynchronous transfer mode system address of the called party host in the called party address information element.--